

### **REMARKS**

Claims 1, 7-10, 12, and 41 are pending. Claim 41 has been amended. No new matter has been added. Claims 42 and 43 have been canceled without prejudice.

### **DRAWINGS**

The Examiner has objected to the drawings and has requested that "the subject matter of claim 7 must be shown or the feature(s) canceled from the claims(s)." See page 2 of the Office Action. Claim 7 is drawn to the flexible joint assembly of claim 1 wherein the first pivot joint and the second pivot joint together provide a substantially 90° bend between the inlet and the outlet.

Figure 4 is a sectional view of a flexible joint assembly in a 90° bend position. See page 5, line 16 of the specification. Applicant respectfully submits that Figure 4 shows all the features of claim 7, specifically where the first pivot joint and the second pivot joint together provide a substantially 90° bend between the inlet and the outlet. See also page 10, lines 26-30, and page 11 of the specification. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

### **CLAIM REJECTIONS**

#### ***Rejection of claims under 35 U.S.C. §102(b)***

The Examiner has rejected claim 41 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,914,736 to Coutu ("Coutu"). See pages 2-3 of the Office Action.

Applicant has discovered a flexible joint assembly that includes a joint assembly inlet, a joint assembly outlet and a fluid flow path between the inlet and the outlet. The flow path includes a first pivot joint, a second pivot joint, and a unitary central fluid conductor fluidly coupling the pivot joints. Each of the first pivot joint and second pivot joint includes an inner member, a receiving member dimensioned to pivotally receive at least part of the inner member, a sealing member sealing between the inner member and the receiving member, a supporting

member supporting the sealing member substantially uniformly over the entire length of the seal between the inner member and the receiving member, and a retaining ring compressing the supporting member and the sealing member by threadably connecting to a surface of the receiving member adjacent to the central fluid connector and the inner member. The central fluid conductor includes a tubular central portion that defines a longitudinal channel between a first conductor end terminated by a first ball and a second conductor end terminated by a second ball. See claim 41.

Coutu discloses “unions for connecting pipe and pipe fittings and provides a coupling having a swivel joint.” See lines 1-3. Coutu does not disclose a unitary central fluid conductor that couples to a first ball and a second ball. See claim 41. Further, in a previous Office Action, the Examiner indicated that “Coutu discloses only that the retaining ring 8 compresses the seal 5, 11 by threadably attaching to an outer surface of the socket 1.” See page 2 of Office Action mailed November 3, 2004. The Examiner further **agreed** “with Applicant’s argument that Coutu, by itself, does not disclose or teach the retaining ring 8 threadably connecting to a surface of the socket *adjacent to the central fluid conductor ....*” See page 2-3 of Office Action mailed November 3, 2004.

Accordingly, independent claim 41 is not anticipated by Coutu. Applicant respectfully requests reconsideration and withdrawal of this rejection.

***Rejection of claims under 35. U.S.C. §103(a)***

***Coutu***

The Examiner has rejected claims 1, 7, 10, 12 and 42-43 under 35 U.S.C. § 103(a) over U.S. Patent No. 1,914,736 to Coutu. Claims 7, 10, 12 and 42 depend from independent claim 1. Claim 43 depends from independent claim 41.

Applicant has discovered a flexible joint assembly including a first pivot joint and second pivot joint, each including a retaining ring compressing a seal by threadably connecting to a surface of the socket adjacent to the central fluid conductor and the ball. The unitary central fluid conductor couples a first ball and a second ball. See claims 1 and 41.

The Examiner has previously acknowledged that “Coutu, by itself, does not disclose or teach the retaining ring 8 threadably connecting to a surface of the socket *adjacent to the central fluid conductor* (i.e., on an inner surface of the socket)” (emphasis added by the Examiner). See page 3-4 of the Office Action mailed Nov. 3, 2004.

Further, Coutu does not teach or suggest a unitary central fluid conductor that couples to a first ball and a second ball. Coutu describes a device having two ball and socket joints which is illustrated in Figures 1 and 2. Figures 1 and 2 clearly do not depict a unitary central fluid connector fluidly coupling the pivot joint. Rather, Coutu teaches that when a “hollow ball 13 is provided with a nipple 14 to receive the part to be connected or coupled by means of the union, [a]n opening 15 is formed in a side of the ball 13 opposite the nipple 14 and provides for the flow of fluid through the union.” See page 1, lines 97-100 and page 2, lines 1-5.

Therefore, Coutu does not teach or suggest a flexible joint assembly for conducting a fluid as recited in claim 1 or 41. Accordingly, claims 1 and 41, and claims that depend therefrom are patentable over Coutu. Applicant respectfully requests reconsideration and withdrawal of the rejection.

### ***Morrison in view of Shames***

The Examiner has rejected claims 1, 7, 10, 12 and 41-43 under 35 U.S.C. § 103(a) over U.S. Patent No. 1,532,195 to Morrison (“Morrison”) in view of U.S. Patent No. 2,971,701 to Shames et al. (“Shames”). Claims 7, 10, 12 and 42 depend from independent claim 1. Claim 43 depends from independent claim 41.

Applicant has discovered a flexible joint assembly including a joint assembly inlet, a joint assembly outlet, a first pivot joint and second pivot joint, each including a retaining ring compressing a seal by threadably connecting to a surface of the socket adjacent to the central fluid conductor and the ball. The unitary central fluid conductor couples a first ball and a second ball. See claims 1 and 41.

Morrison discloses “an improved type of swivel joint coupling of the ball and socket construction.” See page 1, lines 14-16. Morrison does not teach or suggest a retaining ring 8

threadably connecting to a surface of the socket adjacent to the central fluid conductor. Rather, Morrison discloses a collar, 12 (see Figure 1) that threadably connects to a surface opposite a fluid connector. Morrison further does not teach or suggest a joint assembly inlet, a joint assembly outlet or a unitary central fluid conductor that couples a first ball and a second ball. See claims 1 and 41.

Shames does not remedy the above-mentioned defects in Morrison. Shames discloses a "a ball-type connector ... to which is connected a liquid-flow-restricting discharge such as an aerator." See col. 2, lines 36-40. Shames does not teach or suggest a flexible joint assembly that includes joint assembly inlet, a joint assembly outlet and a fluid flow path between the inlet and the outlet. Shames further does not teach a retaining ring 8 threadably connecting to a surface of the socket adjacent to the central fluid conductor. See claims 1 and 41. Instead, coupling nut 76" of Shames threadably connects to an outer surface of aerator 104, which is the surface opposite to connector 102. See Figure 5 of Shames.

Shames further does not teach a retaining ring compressing a seal. Rather, Shames describes and teaches "sealing 'with the pressure' of the liquid that is flowing through the device." See col. 3, lines 70-71.

None of the above-cited references, alone or in combination, teach or suggest the flexible joint assembly described in claims 1 and 41. Accordingly, claims 1 and 41 and claims that depend therefrom are patentable over the Morrison and Shames. Applicant respectfully requests reconsideration and withdrawal of this rejection.

### **CONCLUSION**

For the foregoing reasons, Applicant respectfully requests reconsideration and withdrawal of the pending rejections. Applicant believes that the claims now pending are in condition for allowance.

Should any fees be required by the present Reply, the Commissioner is hereby authorized to charge Deposit Account **19-4293**.

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If, for any reason, a telephonic conference with the Applicant would be helpful in expediting prosecution of the instant application, the Examiner is invited to call Applicant's Attorney at the telephone number provided below.

Respectfully submitted,

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